

## **REMARKS**

This application has been reviewed in light of the Office Action dated August 28, 2006. Claims 1-29 are pending in this application, with Claims 1, 15, 21, 22, 26, 27, and 29 in independent form. Claim 1 has been amended to correct a typographical error that inadvertently provided the phrase “using a table of information and a timestamp” with the displaying step, when such phrase should have been placed with the modifying step as provided in the previous amendments of Claims 15, 21, and 22. Applicants respectfully submit that this feature was recited in Claims 15, 21, and 22, and, therefore, further search and/or consideration is not believed to be required by this change. Claim 28 has been amended to correct a typographical error in the word comprising. Favorable reconsideration is requested.

The Office Action includes an objection to the drawings for failing to include the table of information and timestamp features recited in the claims. In response, Applicants include herewith an amended version of FIG. 5A showing that the timestamp and table of tabs features are included as part of step 507. Accordingly, the objection to the drawings is believed to be addressed and its withdrawal is respectfully requested.

The specification was objected to for including a typographical error in the word comprises in Claim 28. In response, Applicants have amended Claim 28 to correct this typographical error and, therefore, withdrawal of this objection is respectfully requested.

Claims 1-25, and 27-29 have been rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,337,161 (Hube). Claim 26 has been rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hube in view of U.S. Patent No. 6,052,198 (Neuhard, et al.). Applicants respectfully traverse these rejections and submit that the claims are patentable over the cited references taken separately or in any proper combination for at least the following reasons.

Claim 1 requires a method for modifying at least one document in a printing machine having a display device, the method comprising determining a location of at least one marker on the at least one document; displaying the location of the at least one marker, on the display device; modifying the at least

one marker; using a table of information and a time stamp; and generating at least one modified document in response to the modified at least one marker.

A notable feature of Claim 1 is the modifying of the at least one marker using a timestamp. Support for this feature can be found in the original specification at paragraphs [0059] – [0070] of the published application. (It is to be understood of course that the scope of Claim 1 is not limited to the details of this embodiment, which is referred to for purposes of illustration only.)

The Office Action is understood to take the position that when files are saved, they are saved with a timestamp. The Office Action, therefore, is understood to argue that because the Hube patent utilizes files, it is allegedly inherent that such files, when saved have an included timestamp. However, Claim 1 does not require or pertain to the mere use of a timestamp with a saved file. In particular, Claim 1 requires that at least one marker be modified using a timestamp. In other words, Claim 1 requires that the modifying of at least one marker occur using a timestamp. While claims are to be given their broadest reasonable interpretation, Applicants respectfully submit that merely timestamping a file when it is saved does not teach or suggest the use of that timestamp along with a process of modifying at least one marker. To elaborate, if it is the position of the Office Action that a marker, according to the Hube patent, is a tab on a page, Applicants respectfully submit that the Hube patent does not teach or suggest that, as part of modifying such a tab, a timestamp is used. Merely placing a timestamp on a file is not a disclosed use of a timestamp as part of modifying at least one marker. For at least this reason Applicants respectfully submit that not all of the claimed limitations in Claim 1 are taught by the Hube patent. At least this same reason for patentability applies to independent Claims 15, 21, and 22.

In addition to the reason for patentability just set forth above, Applicants respectfully submit that the Hube patent also does not teach or suggest modifying at least one marker as recited in all of the independent claims. In particular, if Applicants understand the position taken in the Office Action correctly, Applicants are under the impression that the Office Action is correlating a tab, according to the Hube patent, as a marker according to the independent claims of the present application. The Office Action then refers to step S52 in FIG. 12 as allegedly teaching modifying the at least one marker according to the

independent claims of the present application. See, for example, the last line of page 4 of the Office Action. However, Applicants understand step S52 in FIG. 12 of the Hube patent to pertain to outlining an image to be placed onto a tab, for which no other image has previously been identified. See column 8, lines 29-31; column 8, lines 47-54; and column 9, lines 33 to column 10, line 31. In particular, column 8, lines 29-31 are understood to state that if tab images are already on tab pages, then the job is ready for printing. The Hube patent, beginning at column 8, line 47, then is understood to describe how a tab image can be extracted from any page in a document and inserted onto a tab image. The discussion beginning at column 9, line 33 is understood to describe that a user can outline an area of an image to be used as a tab image. FIG. 17 is probably the best example which shows an outlined area of an image 214 extracted from a page 226 and inserted onto a tab 219.


Although the Hube patent is understood to describe how an image may be inserted onto a tab, it appears to be silent regarding subsequent modifications of such tabs. For at least this additional reason, Applicants respectfully submit that the Hube patent does not teach or suggest modifying the at least one marker as recited in the independent claims. The Neuhard reference is not cited to teach or suggest this feature.

The other claims in this application depend from one of the independent claims discussed above, and are submitted to be patentable for at least one of the reasons described above. Since each dependent claim is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

This Amendment After Final Action is believed to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. §1.116. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

Respectfully submitted,

  
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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

**Amendments to the Drawings:**

The attached formal drawing sheet for FIG. 5A is being submitted to replace the drawing for FIG. 5A currently on file. This replacement drawing includes the table of information and timestamp features recited in the claims. This formal drawing contains no new subject matter.

Attachment: One (1) Replacement Sheet (FIG. 5A).